

United States District Court, Eastern District of Washington
Magistrate Judge James A. Goeke
Spokane

**USA v. JASON CARNELL
O'DAFFER**

Case No. 2:22-CR-147-MKD-1

Defendant's Motion to Reopen Detention Hearing:

05/10/2023

- | | |
|--|---|
| <input checked="" type="checkbox"/> Melissa Orosco, Courtroom Deputy | <input checked="" type="checkbox"/> Tyler Tornabene, US Atty |
| <input checked="" type="checkbox"/> Shawn Kennicutt, US Probation / Pretrial Services | <input checked="" type="checkbox"/> Colin Prince, Defense Atty |
| <input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM | <input checked="" type="checkbox"/> Interpreter NOT REQUIRED |

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- | | |
|---|--|
| <input type="checkbox"/> Defendant continued detained | <input checked="" type="checkbox"/> Conditions of Release imposed |
| | <input checked="" type="checkbox"/> 199C Advice of Penalties/Sanctions |

REMARKS

Defendant appeared, in custody, with counsel.

The Court has reviewed the Pretrial Services Report (ECF No. 11); and Defendant's Motion to Reopen Detention and Release to Inpatient Treatment (ECF No. 22).

Defense counsel made factual proffers and argued why there are conditions which justify releasing Defendant to inpatient treatment.

Government is not opposed to Defendant's furlough to inpatient treatment.

The Defendant addressed the Court.

The Court ordered:

1. Defendant's Motion to Reopen Detention is **granted**.
2. Conditions of release imposed upon Defendant which were read to him in Court. Order forthcoming.

Defendant to be released under the following conditions:

- Commit no new violation of state, local, tribal or federal law, to include no marijuana
- Report any contact with law enforcement to Pretrial Services within 1 business day and may not work for United States government or any federal or state law enforcement agency without first notifying your supervising Pretrial Services officer
- Appear for all future hearings and surrender for sentence if sentence of imprisonment is imposed
- Sign 199C
- No possession of firearm, dangerous weapon, or other destructive device
- Report to Pretrial Services in whatever frequency/manner they direct
- Call attorney at least once per week
- May not possess, ship or transport in interstate or foreign commerce any firearm, or ammunition
- No use or possession of narcotic drugs or other controlled substances, unless have valid prescription, to include no marijuana

- Surrender passport and/or enhanced driver's license and may not apply for new one during pendency of case
- Successfully complete inpatient substance treatment at ABHS and follow recommended treatment as directed by service provider and Pretrial Services
- Sign all releases of information for providers as instructed by Pretrial Services
- Submit to random UA/BA/sweat patch testing, or other method as directed by treatment provider and Pretrial Services
- May not consume any alcohol whatsoever
- May not obstruct or attempt to obstruct or tamper with substance abuse testing
- If terminated from inpatient treatment prior to completion, must immediately notify Pretrial Services of termination and immediately return to custody of U.S. Marshal
- Upon successful completion of inpatient treatment, Defendant to return to custody of U.S. Marshal unless otherwise ordered by the Court
- Remain in Eastern District of Washington while case is pending unless receive permission in advance to travel outside of district
- Avoid all contact, direct or indirect, with any witness or victim in case
- Reside at ABHS unless otherwise authorized by the Court
- Defendant to release on May 15, 2023, at 1:00 p.m. to staff at ABHS.